



CRM-M-47313-2024

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**224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-47313-2024

Date of Decision: 19.11.2024

Ajay Bahadur

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Paras Jagga, Advocate for the petitioner.
Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.161 dated 06.11.2023, under Sections 379-B, 34, 411 IPC, registered at Police Station Focal Point, District Police Commissionerate Ludhiana.

2. As per facts of the case, complainant Raj Singh lodged the complaint with the Police alleging therein that on 29.10.2023, when he was talking on his mobile phone, then three unknown persons came on motorcycle make Hero Splendor and forcibly snatched his mobile phone and fled away from the spot. During the search, the complainant came to know that the accused who had snatched his mobile phone, were Vishal Kumar, Ajay Bahadur (petitioner) and Rohit Thakur. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 06.11.2023. On completion of the investigation, the challan was presented. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of bail.



However, finding no merit, learned Court declined the same vide order dated 09.01.2024. Hence, petitioner is before this Court praying for grant of bail.

3. It has been vehemently contended by counsel for the petitioner that petitioner has been falsely and frivolously implicated in this case. He submits that the petitioner is behind bars since the date of his arrest. It is submitted that version in the FIR is totally concocted as the complainant had subsequently alleged to have disclosed the name of the accused, which is totally an improbable story. He submits that similarly situated co-accused have already been granted bail by learned trial Court. He submits that till date the prosecution has filed challan and the charges are not framed. It is submitted that the petitioner has no criminal antecedents and thus, in the overall facts and circumstances of the present case, the petitioner deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner was duly named in the FIR. He submits that during the investigation, mobile snatched from the complainant was recovered from the petitioner. He thus submits that the case of the petitioner is not at par with the co-accused who have been granted bail by the trial Court. On instructions, he submits that the petitioner is not involved in any other case. He submits that the investigation is complete and so far only challan has been presented, whereas, charges are yet to be framed.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars since 06.11.2023. Alongwith the



petitioner, there are two other co-accused, who have been granted bail by the trial Court. As submitted before this Court, the petitioner is not involved in any other case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

19.11.2024
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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No